

An Act to Establish the Community Preservation Advisory Committee

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CHAPTER 648
H.P. 1565 - L.D. 2070

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Be it enacted by the People of the State of Maine as follows:

Sec. 2. 30-A MRSA c. 187, sub-c. II, art. 3-B is enacted to read:

Article 3-B
COMMUNITY PRESERVATION ADVISORY COMMITTEE

§4350. Community Preservation Advisory Committee

1. Establishment; purpose. The Community Preservation Advisory Committee, established by Title 5, section 12004-I, subsection 24-F and referred to in this article as the "committee," shall advise the Governor, the Legislature, the office and other pertinent state agencies and entities on matters relating to community preservation.

2. Membership; appointment. The committee consists of the following 13 members:

- A. The Director of the State Planning Office or the director's designee;
- B. Two members from the Senate appointed by the President of the Senate, at least one belonging to the political party holding the largest number of seats in the Senate and at least one belonging to the political party holding the 2nd largest number of seats in the Senate. When making the appointments, the President of the Senate shall give preference to members from the joint standing committees of the Legislature having jurisdiction over natural resources matters, state and local government matters, education matters, transportation matters, taxation matters and business and economic development matters. When making the appointments, the President of the Senate also shall consider appointing members who represent a rural community, a fast-growing community or a service center community;
- C. Four members from the House of Representatives appointed by the Speaker of the House, at least one belonging to the political party holding the largest number of seats in the House of Representatives and at least one belonging to the political party holding the 2nd largest number of seats in the House of Representatives. When making the appointments, the Speaker of the House shall give preference to members from the joint standing committees of the Legislature having jurisdiction over natural resources matters, state and local government matters, education matters, transportation matters, taxation matters and business and economic development matters. When making the appointments, the Speaker of the House also shall consider appointing a member who

represents a rural community, a member who represents a fast-growing community and a member who represents a service center community;

- D. One member representing a statewide housing authority, appointed by the President of the Senate;
- E. One member representing an environmental organization, appointed by the Speaker of the House;
- F. Two members representing municipal interests, one who represents rural municipal interests and one who represents service center municipal interests, appointed by the President of the Senate;
- G. One member representing the real estate or development industry, appointed by the Speaker of the House; and
- H. The Director of the Maine Historic Preservation Commission or the director's designee.

3. Terms. Except for Legislators, who serve terms coincident with their legislative terms, all members are appointed for 3-year terms. A vacancy must be filled by the same appointing authority that made the original appointment. Appointed members may not serve more than 2 terms. Members may continue to serve until their replacements are designated.

4. Compensation. Legislative members are entitled to receive the legislative per diem, as defined in Title 3, section 2, and to reimbursement for expenses according to Title 5, section 12004-I, subsection 24-F. Public members not otherwise compensated by their employers or other entities that they represent are entitled to reimbursement of necessary expenses incurred for their attendance at authorized meetings of the committee.

5. Quorum; actions. A quorum is a majority of the members of the committee. An affirmative vote of the majority of the members present at a meeting is required for any action. Action may not be considered unless a quorum is present.

6. Chairs. The first appointed Senate member is the Senate chair of the committee and the first appointed House of Representatives member is the House chair of the committee.

7. Meetings. The committee may not meet more than 4 times per year.

8. Drafting assistance. The office shall provide the committee with staff assistance. Upon the approval of the Legislative Council, the Office of Policy and Legal Analysis may provide drafting assistance with the preparation of recommended legislation as requested by the chairs of the committee. The drafting assistance provided by the Office of Policy and Legal Analysis may be provided only when the Legislature is not in session.

9. Duties. The committee shall:

- A. Submit an annual report of the committee's activities to the Legislature and the joint standing committee of the Legislature having jurisdiction over natural resources matters by December 1st of each year;
- B. Provide assessment, advice and recommendations on emerging policy concerns or on adjustments to existing programs related to growth management;
- C. Review and make recommendations on the State's fiscal, transportation, education funding, school-siting and land use policies that affect service center communities, rural lands and development sprawl;
- D. Review tax policy as it affects land use decisions;
- E. Provide assessment, advice and recommendations on the role of state office buildings in the continued viability of downtown service centers within the State and the impact of growth-related capital investments and location decisions by the State;
- F. Provide assessment, advice and recommendations on the coordination of state and local urban transportation planning and streamlining of local and state land use rules and regulations to permit and encourage efficient neighborhood and economic development in growth areas; and
- G. Review and make recommendations regarding options for establishing a state transferable development rights bank.

§4350-A. Repeal date

This article is repealed June 1, 2008.

Sec. 3. Funding for public members not otherwise reimbursed for service on committee. The Maine State Housing Authority, with existing budgeted resources, shall provide compensation for public members of the Community Preservation Advisory Committee who are not otherwise reimbursed for their service on the committee.

Effective July 25, 2002, unless otherwise indicated.